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2
3 UNITED STATES DISTRICT COURT FOR THE
4 WESTERN DISTRICT OF PENNSYLVANIA

5 JARRON DARVEZ JACKSON,)

6 *Petitioner,*)

7 v.)

8)
9 WARDEN ORLANDO HARPER, et al.,)

10 *Respondents.*)
11

CASE NO. 15-7 Erie

ORDER DENYING PETITION FOR WRIT
OF HABEAS CORPUS

12
13 **ORDER ADOPTING REPORT AND RECOMMENDATION**

14 The Court, having reviewed the petition for writ of habeas corpus, the Report and
15 Recommendation of the Honorable Susan P. Baxter, United States Magistrate Judge, and the
16 balance of the record, does hereby find that:

- 17 (1) The Court adopts the Report and Recommendation;
- 18 (2) The Court finds that the Magistrate Judge correctly concluded in the Report and
19 Recommendation that Petitioner's habeas should be rejected without an
20 evidentiary hearing. Petitioner objects to being detained pre-trial; however, at the
21 time of filing this habeas petition, Petitioner was already convicted and awaiting
22 sentencing. Petitioner's other constitutional claims are not cognizable in a
23 petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 as they address
24 issues with the execution of his sentence, rather than the validity of his sentence.
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McGee v. Martinez, 627 F.3d 933, 935 (3d Cir. 2010). Finally, Petitioner failed to

file any objection to the Magistrate Judge's Report and Recommendation.

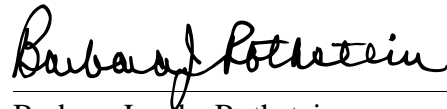
(3) Petitioner's petition for writ of habeas corpus is DISMISSED with prejudice;

The Clerk of the Court is respectfully directed to send copies of this Order to

Petitioner, Respondent, and to Judge Baxter.

IT IS SO ORDERED.

DATED this 9th day of September, 2015.

A handwritten signature in black ink, reading "Barbara Jacobs Rothstein", written over a horizontal line.

Barbara Jacobs Rothstein
U.S. District Court Judge